

DECISION

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**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

FILE: B-210572

DATE: July 26, 1983

MATTER OF: Donald W. Haley - Miscellaneous Expenses -
Teacher Certification Fee - Medical
Records Transfer Fee

DIGEST:

1. Under Federal Travel Regulations para. 2-3.1, miscellaneous expenses incurred because of a transfer may be reimbursed. The employee may be reimbursed for (1) his wife's teacher certification fee as a license fee, and (2) his wife's teacher course tuition fee which was required as a condition precedent to the issuance of the teacher certification, where employee's wife had been a certified teacher in state in which old duty station was located.
2. Under Federal Travel Regulations para. 2-3.1, miscellaneous expenses incurred because of a transfer may be reimbursed, but those costs incurred for reasons of personal taste or preference and not required because of the move may not be reimbursed. The employee may not be allowed reimbursement of a medical records transfer fee, since transmittal fees are reimbursable only when the subject of the transmittal is a reimbursable expense, and expenses relating generally to medical arrangements of transferred employees are not reimbursable.

This decision arises from a request by Ms. Anita R. Smith, Authorized Certifying Officer, National Finance Center, United States Department of Agriculture, for an advance decision as to whether Donald W. Haley, an employee of the agency, may be reimbursed for various miscellaneous expenses in the amount of \$216.75 that he incurred in relocating pursuant to a permanent change of station.

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Mr. Haley, an employee of the Soil Conservation Service, was authorized a permanent change of station from Amherst, Massachusetts, to Durham, New Hampshire. Mr. Haley claims he incurred the following miscellaneous expenses for which he has not been reimbursed: a teacher certification fee of \$30 and a tuition fee of \$177 for his wife; and a medical records transfer fee of \$9.75 for his two children. For the reasons stated below, we find that Mr. Haley may be reimbursed for the teacher certification fee and the tuition fee, but not the medical records transfer fee.

Employees who are transferred in the interest of the Government and paid expenses of travel and transportation under 5 U.S.C. § 5724(a) (1976), are entitled to reimbursement for certain miscellaneous expenses under 5 U.S.C. 5724a(b). The allowance for miscellaneous expenses is payable in accordance with the regulations contained in the Federal Travel Regulations, FPMR 101-7 (May 1973) (FTR), Chapter 2, Part 3.

Mr. Haley's wife was a certified teacher in Massachusetts and was employed as a teacher at the time of Mr. Haley's transfer. In order to qualify for certification in New Hampshire, she was required by the Department of Education of the State of New Hampshire to take a maintenance college course at a cost of \$177. She also was required to pay a fee of \$30 for her New Hampshire teaching certificate. Also, Mr. Haley paid \$9.75 to transfer the general medical records of his two children to his new official station.

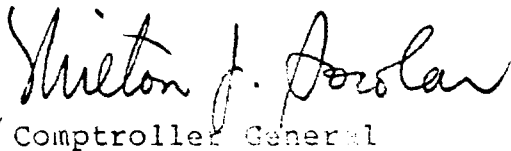
Teacher certification fee. A teacher certification fee is similar to other license fees that we have held are reimbursable as a cost inherent in the relocation of a place of residence. See B-163107, May 18, 1973, (amateur radio license transfer fee); Cyrus E. Phillips IV, B-205695, August 2, 1982 (dog license). On this basis, the teacher certification fee may be reimbursed.

Tuition fee for maintenance college course. We have held that expenses required as a condition precedent to the issuance of a license may be reimbursed as part of the cost of obtaining the license. See Cyrus E. Phillips IV, (veterinary costs incurred as condition precedent to dog

license); B-178070, April 6, 1973 (drivers' training course required as condition precedent to obtaining a driver's license). The New Hampshire Department of Education indicated to Mr. Haley's wife that she was required to take the maintenance college course in order to demonstrate "satisfactory professional growth," as described in a document from the Office of Teacher Education and Professional Standards. Since Mr. Haley's wife was required to take the maintenance college course as a condition precedent to receiving her teacher certification at Mr. Haley's new duty station, the tuition fee would be allowable under the rule in the above decisions.

Transfer of medical records. We have held that the cost of transmitting documents may only be reimbursed where the purpose of the transmittal relates to an item that would constitute a reimbursable expense. See Cyrus E. Phillips IV, (transmittal of travel authorization and service agreement by express mail to obtain an imprest fund payment on arrival at the new station not allowable); Bruce L. Birchman, B-194851, April 8, 1980 (postage costs to mail license plates to location of former duty station allowable where state law required return of the license plates). Here, the medical records neither were part of a fully paid medical contract (See Joseph T. Grills, 56 Comp. Gen 53 (1976)) nor were required to be transmitted by law, and they, thus, did not constitute an allowable expense in themselves. Therefore, the transfer fee is not reimbursable as a miscellaneous expense.

Mr. Haley's claim for certain miscellaneous expenses may be partially reimbursed in accordance with this decision.

for 
Comptroller General
of the United States